

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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BENJAMIN M. LAWSKY, Superintendent of  
Financial Services of the State of New York,

Plaintiff,

-against-

CONDOR CAPITAL CORPORATION and  
STEPHEN BARON,

Defendants.

-and-

WELLS FARGO BANK, N.A., as Agent for  
Certain Financial Institutions as Lenders,

Intervenor.  
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Case No.: 14 Civ. 2863(CM)

**NOTICE OF MOTION FOR  
RECUSAL PURSUANT TO  
28 U.S.C. § 455(A)**

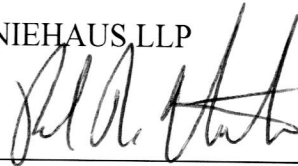
TO: ALL COUNSEL OF RECORD

PLEASE TAKE NOTICE THAT, upon the accompanying (i) Memorandum of Law in Support of Defendant's Motion to Recuse; and (ii) Affidavit of Paul R. Niehaus and the exhibits thereto, and upon all prior pleadings in this matter, Defendant Stephen Baron will move this Court, as soon as he may be heard, for an Order pursuant to 28 U.S.C. § 455(a), recusing the Honorable Colleen McMahon from further participation in this matter, and reassigning the matter to a randomly-selected Judge of this District pursuant to Rule 16 of the Southern District's Rules for the Division of Business Among District Judges.

PLEASE TAKE FURTHER NOTICE THAT, pursuant to Judge McMahon's Individual Practices and Procedures, papers in opposition to the Motion must be filed no later than December 7, 2015, and that papers in reply, if any, must be filed no later than December 14, 2015.

Dated: November 23, 2015

NIEHAUS LLP

A handwritten signature in black ink, appearing to read 'Paul R. Niehaus', is written over a horizontal line.

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